

TOWN OF BEAUX ARTS VILLAGE

ORDINANCE NO 331

AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON
AMENDING ORDINANCE NOS. 242, 293, AND 326.

WHEREAS, the Town of Beaux Arts Village is mandated by the Washington State Growth Management Act to plan for growth using the requirements set forth in RCW 36.70A; and

WHEREAS, RCW 36.70A requires that each county or city outline their plan for growth in a Comprehensive Plan, establishes mandatory elements for each comprehensive plan, and requires that the Town take legislative action to review and, if needed, revised its comprehensive plan and development regulations every seven years; and

WHEREAS, under the deadline established in RCW 36.70A.103(4), the deadline for the Town of Beaux Arts Village to comply with the update required by RCW 36.70A.130(1) was December 1, 2004; and

WHEREAS, the Town adopted the current version of its Comprehensive Plan with Ordinance No. 326 passed on November 9, 2004; and

WHEREAS, the adopted Comprehensive Plan was prepared by the Town's Planning Commission; and

WHEREAS, prior to the adoption of the Comprehensive Plan, the Planning Commission reviewed the Town's development regulations to determine consistency with the Comprehensive Plan and found that the Town's existing development regulations were consistent with the Comprehensive Plan; and

WHEREAS, the Town has learned that the adopting ordinance should have included language addressing the consistency of its developmental regulations and their compliance with state statutes; and

WHEREAS, the amendment presented herein does not alter the Comprehensive Plan adopted by Ordinance No. 326 but merely serves to address the deficiencies of the ordinance adopting it; **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 326 is hereby amended to read:

“Section 1. The Beaux Arts Comprehensive Plan, as adopted by Ordinance No. 242 on December 13, 1994 and amended by Ordinance No. 293 on May 11, 1999, is now amended to read as follows in Exhibit “A”. Based upon its review of the requirements of

Chapter 36.70A RCW, the Town Council hereby finds and declares that the comprehensive plan and development regulations currently in effect in the Town of Beaux Arts Village comply with the requirements of Chapter 36.70A RCW.”

Section 2. Validity. If any section, paragraph, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that they would have passed this Ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses or phrases may subsequently be found by competent authority to be unconstitutional or invalid.

Section 3. This ordinance shall take effect five days from its passage and publication.

PASSED by the Council of the Town of Beaux Arts Village this 11th day of January, 2005.

Charles R. Lowry, Mayor

Attest;

Approved as to form;

Sue Ann Spens, Clerk-Treasurer

Wayne Stewart, Attorney